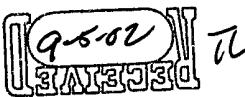


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PTO/SB/35 (11-00)

Approved for use through 10/31/2002. OMB 0651-0031  
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**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Elie-Dit-Cosaque, et al.
Title	Informed Dynamic Path Protection for Optical Networks
Atty Docket Number	135886

I hereby certify that the invention disclosed in the attached application **has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.** I hereby request that the attached application not be published under 35 U.S.C. 122(b).

September 5, 2002

Date

Signature

Jessica W. Smith

Reg. No. 39,884

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application upon filing.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(ii)).**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

▼  
A L C A T E L

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## FACSIMILE TRANSMITTAL

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**FROM:** Melanie Murdock  
**COMPANY:** Alcatel USA  
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**SENDER'S TELEPHONE NO.:** 972-519-5103

**DATE:** September 5, 2002  
**TOTAL PAGES (incl. cover)** 2

Serial No.: 09/998,362  
Attorney Docket No.: 135886

I hereby certify that the following documents are being transmitted via facsimile to the U.S. Patent and Trademark Office on September 5, 2002. Each document is comprised of 1 page unless otherwise specified.

1. Fax Transmittal Form
2. Request to Rescind Previous Nonpublication Request 35 U.S.C. 122(b)(2)(B)(ii)

*Melanie Murdock*  
Melanie Murdock

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